

ERF 73-3041/1

8 JUN 1973

MEMORANDUM FOR: Director of Central Intelligence

VIA : Deputy Director of Central Intelligence

FROM : Deputy Director for Management and Services

SUBJECT : Proposed Revision of Equal Employment Opportunity

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1. Action Requested: Your review and approval of subject proposal which, under the provisions of subparagraph 4b(1), delegates "to the Director of Equal Employment Opportunity the authority necessary to implement the equal employment opportunity program within the Agency."

2. Basic Data and Background: The proposed revision provides a comprehensive explanation of Equal Employment Opportunity policy and procedures, including reference to current pertinent legislation and the newly created position of Federal Woman's Program Coordinator. Because the proposal contains a delegation of the authority of the Director of Central Intelligence, your approval is required.

3. Staff Position: The proposal has been coordinated with the Deputy Directors and throughout the Directorate of Management and Services. All coordinators concur in this proposal.

4. Recommendation: Approval.

/s/ Robert S. Wattles

for HAROLD L. BROWMAN
Deputy Director
for
Management and Services

Attachment

SUBJECT: Proposed Revision of ☐ Equal Employment Opportunity

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APPROVED: See DDM+5 73-2/33
Attached

DISAPPROVED: _____

DDM&S/SSS/RCB/DDM:pea (4 June 1973)

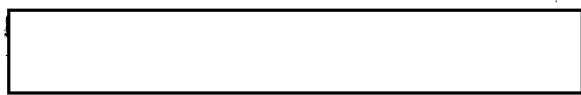
Distribution:

Orig - Addressee (Return to C/SSS
via DDM&S)

- 1 - Executive Registry
- 1 - Signing Official
- 1 - DDCI
- 2 - DDM&S Chrono. Subj. (circled)
- 1 - RCB

DD/W&S 73-2233

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Paragraph 4 is revised to update information concerning the Agency's Equal Employment Opportunity program.

Arrows in the page margin show the locations of the changes described above.

AB

E R # 73-3041

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4. EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

a. POLICY. It shall be the policy of the Central Intelligence Agency to provide equal opportunity in employment for all persons, to prohibit discrimination in employment because of race, color, religion, sex, or national origin, and to promote the full realization of equal employment opportunity through a positive, continuing program. In administering this policy, the Agency shall comply with the applicable provisions of the Equal Employment Opportunity Act of 1972, Executive Order 11478 of August 6, 1969, and the applicable regulations of the Civil Service Commission, but shall have due regard for the statutory responsibilities of the Director of Central Intelligence as set forth in the National Security Act of 1947, as amended, and the Central Intelligence Agency Act of 1949, as amended. A positive, continuing program goes beyond nondiscrimination and is designed to promote equal opportunity in every aspect of Agency personnel policy and practice in the employment, development, advancement, use, and treatment of employees and to ensure that an environment exists within the Agency wherein this program can be carried out.

b. RESPONSIBILITIES

- (1) The Director of Central Intelligence shall exercise personal leadership in establishing, maintaining, and carrying out the Agency's equal employment opportunity program. The Director of Central Intelligence shall designate a Director of Equal Employment Opportunity, who shall be under his immediate supervision for all matters pertaining to the Agency's equal employment opportunity program. There is hereby delegated to the Director of Equal Employment Opportunity the authority necessary to implement the equal employment opportunity program within the Agency.
- (2) The Director of Central Intelligence shall designate as many Equal Employment Opportunity Officers, Equal Employment Opportunity Counselors, and Federal Woman's Program Coordinators as may be necessary to assist the Director of Equal Employment Opportunity to carry out the equal employment opportunity program within the Agency.

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- (3) The Director of Equal Employment Opportunity in coordination with the Director of Personnel shall be responsible for continually reappraising the Agency's personnel program to ensure that all activities relating to personnel administration are compatible with the principle of equal employment opportunity.
- (4) The Heads of Career Services shall be responsible for ensuring that the equal employment opportunity program is enforced in their Career Services.
- (5) The operating and supervisory officials shall ensure a positive application and enforcement of the equal employment opportunity program.
- (6) Each employee shall be responsible for cooperating and participating in the equal employment opportunity program.
- c. **FUNCTIONS.** The Director of Equal Employment Opportunity has the functions of
- (1) preparing the plans, programs, procedures, (and where appropriate, changing) regulations, reports, and other matters designed to carry out the policy and program set forth in this regulation and submitting for the review and approval of the Civil Service Commission those plans and reports which must be submitted to it;
- (2) evaluating the sufficiency of the total Agency program and reporting to the Director with recommendations as to any improvement or correction needed, including remedial or disciplinary action with respect to managerial or supervisory employees who have failed in their responsibilities;
- (3) providing for counseling by any aggrieved employee who believes he has been discriminated against on the basis of race, color, religion, sex, or national origin;
- (4) providing for the receipt and investigation of complaints of discrimination in personnel matters within the Agency;
- (5) reviewing the record of any complaint and making recommendations to the Director (or his designee) before the Director (or his designee) makes the decision on a complaint;

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- (6) ensuring that equal opportunity for women is an integral part of the Agency's overall program and assigning to the Federal Woman's Program Coordinator the responsibility for matters affecting the employment and advancement of women;
- (7) publicizing to employees and permanently posting in appropriate places the names and addresses of the Director of Equal Employment Opportunity, the Federal Woman's Program Coordinator, Equal Employment Opportunity Officers and Counselors, including for the latter the organizational unit he serves and his availability to counsel an employee;
- (8) making reasonable accommodation to the religious needs of employees;
- (9) making available to employees a copy of the regulations, notices, and procedures issued to carry out the Agency's program of equal employment opportunity.

d. COMPLAINTS

- (1) The unique internal security requirements of the Agency require the compartmentation of its personnel and activities and the application of the need-to-know principle, and necessitate the processing of complaints of discrimination on a case-by-case basis, with due regard to the security factors involved in each case. In its processing of complaints the Agency shall ensure that the objectives of the implementing regulations promulgated by the U.S. Civil Service Commission are observed.
- (2) An employee who believes he has been discriminated against because of race, color, religion, sex, or national origin shall consult with an EEO Counselor when he wishes to resolve the matter. The aggrieved employee shall bring the matter to the attention of the EEO Counselor within 30 calendar days of the date of that matter, or, if a personnel action, within 30 calendar days of its effective date. The Counselor shall make whatever inquiries he believes necessary, seek a solution of the matter on an informal basis, and counsel the aggrieved concerning the issues in the matter and his findings. These time limits can be extended in cases where the aggrieved shows either that he was not notified of them or that he was prevented by circumstances

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beyond his control from submitting the matter within the time limits. The Counselor shall, insofar as is practicable, conduct his final counseling with the aggrieved not later than 21 calendar days after the date on which the matter was brought to his attention.

- (3) If the matter is not resolved to the satisfaction of the aggrieved or if the final interview is not concluded within 21 calendar days, the aggrieved shall be notified in writing by the Counselor of his right to file a complaint. This notification shall also inform the aggrieved of the form of the complaint, the procedure for submission, and the individual(s) who may receive the complaint. The EEO Counselor shall not reveal the identity of an aggrieved person who has sought consultation unless authorized to do so by the aggrieved or until the complaint of discrimination has been filed and accepted by the Agency.
- (4) Complaints shall be processed in the following manner:
 - (a) Upon acceptance of a complaint, the Director of Equal Employment Opportunity shall promptly initiate an investigation of the complaint. The person investigating the complaint shall not be under the jurisdiction of the head of that part of the Agency in which the complaint arose.
 - (b) Upon completion of the investigation an opportunity shall be provided for the adjustment of the complaint on an informal basis.
 - (c) When the complaint is not adjusted on an informal basis, the Agency shall inform the complainant in writing
 - (1) of the proposed disposition of the complaint,
 - (2) of his right to a hearing and decision by the Director of Central Intelligence (or his designee) if he notifies the Agency in writing within 15 calendar days of the receipt of the notice that he desires a hearing; and
 - (3) of his right to a decision by the Director of Central Intelligence (or his designee) without a hearing.

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- (d) If the complainant fails to notify the Director of Equal Employment Opportunity of his wishes within the period prescribed in subparagraph (c)(2) above, the complaint, together with the complaint file, shall be forwarded to the Director of Central Intelligence (or his designee) for decision. This decision of the Agency and notice to the complainant shall be in keeping with the applicable Civil Service Commission regulations.
- (e) Both the complainant and the Agency shall proceed without undue delay so that the complaint is resolved within 180 calendar days after it was filed, including time spent in the hearing of the complaint, if such a hearing has been held.
- e. INFORMING EMPLOYEES. Annually and at such other times as directed, the Director of Equal Employment Opportunity shall bring this regulation to the attention of all employees of the Agency. The Director of Personnel will ensure that all employees are made aware of the provisions of this regulation as a part of their entrance-on-duty processing.

B/ VERNON A. Walters

for JAMES R. SCHLESINGER
Director of Central Intelligence

DISTRIBUTION: AB

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MEMORANDUM FOR: Mr. Schlesinger

This regulation is forwarded for your authentication because subparagraph 4b(2) contains a delegation of authority from you to the Agency's Director of Equal Employment Opportunity.

Your signature is requested.

/s/ Robert S. Wattles

Robert S. Wattles
Associate DD/M&S

11 JUN 1973

(DATE)

FORM NO. 101 REPLACES FORM 10-101
1 AUG 54 WHICH MAY BE USED.

(47)

STAT

EO-DD/M&S: [] kmg (8 Jun 73)

Distribution:

Orig Blue Note - Adse w/O & 8 of Atts (DD/M&S 73-2132, -2133)

- ✓ 1 - DD/M&S Subj w/ccy of Atts
- 1 - DD/M&S Chrono w/ccy of Atts
- 1 - RSW Chrono

DD/M&S 73-2132: Memo dtd 8 Jun 73 to DCI via DDCI fr DD/M&S, subj:

Proposed Revision of [], Equal Employment Opportunity

STAT

DD/M&S 73-2133: []

STAT

TRANSMITTAL SLIP		DATE DD/M&S 13-273 2/133 30 May 1973
TO: Approved For Release 2003/04/29 : CIA-RDP84-00780R005200010004-2		
Chief, Support Services Staff		
ROOM NO. 710	BUILDING Magazine Bldg.	
REMARKS: Lew: Per our phone conversation, please have the following revisions made on the attached memorandum: Mr. Brownman's name should be in all caps on internal correspondence. The attachment should be noted on the memo before the approval line. Addresses - page 3 of HR, para 4.c.(7) is misspelled. LDP		
FROM: Executive Officer to the DD/M&S		
ROOM NO. 7D 24	BUILDING Hqs	EXTENSION

FORM NO. 241
1 FEB 55

REPLACES FORM 36-8
WHICH MAY BE USED.

(47)

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Approved For Release 2003/04/29 : CIA-RDP84-00780R005200010004-2

Approved For Release 2003/04/29 : CIA-RDP84-00780R005200010004-2

TRANSMITTAL SLIP		
TO:		
ROOM NO.	BUILDING	
REMARKS:		
<p>This proposal has been fully coordinated.</p> <p>I recommend one signature by the DCI.</p> <p><i>[Signature]</i> <i>6/5</i> LDP</p> <p>P.S.: Because this regulation is based upon an Executive Order and Civil Service Commission regulations, we have retained, at the request of the originator, the legally compulsive "shall" throughout.</p>		
FROM:		
ROOM NO.	BUILDING	EXTENSION

FORM NO. 241
1 FEB 55REPLACES FORM 36-8
WHICH MAY BE USED.

(47)

TRANSMITTAL SLIP			DATE 4 JUN 1973
TO: Mr. Wattles			
THRU: 6/5			
ROOM NO.	BUILDING		
REMARKS:			
<p>Attached is a proposed revision of [redacted] Equal Employment Opportunity (EEO), which was originated by the Office of General Counsel. The purpose of this proposal is to provide a comprehensive explanation of EEO policy and procedures, including reference to pertinent legislation and the position of Federal Woman's Program Coordinator.</p> <p>Subparagraph 4b(2) of this proposal contains a delegation of authority from the DCI to the Agency's Director of EEO. The proposal, therefore, requires authentication by the DCI. A memorandum for this purpose is attached.</p>			
FROM: Continued			
ROOM NO.	BUILDING	EXTENSION	

FORM NO. 241
1 FEB 55REPLACES FORM 36-8
WHICH MAY BE USED.

(47)

Mr. W. -

Per your request/suggestion,

page 1 of [redacted] has been
 retyped to correct line 4 --
 "or" instead of "and"
 national origin.

p.

TRANSMITTAL SLIP			DATE 8 June 1973
TO: Mr. Wattles			
ROOM NO.	BUILDING		
REMARKS:			
<p>Recommend your signature on the attached blue note.</p> <p><i>[Signature]</i> LDP</p>			
FROM:			
ROOM NO.	BUILDING	EXTENSION	

FORM NO. 241
1 FEB 55REPLACES FORM 36-8
WHICH MAY BE USED.

(47)

ROUTING AND RECORD SHEET

DD/M&S Registry
File 0104M1

SUBJECT: (Optional)

Request for Approval to Issue Revised Regulations

FROM:		EXTENSION		NO.	
Director, Equal Employment Opportunity 2 E 38 Headquarters				DATE 6 March 1973	
TO: (Officer designation, room number, and building)		DATE		OFFICER'S INITIALS	
		RECEIVED	FORWARDED	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)	
1. Director of Personnel 5 E 56 Hqs		9 MAR 1973		HBF Lhc	
2.					
3. Mr. William E. Colby 7 D 59 Hqs		3/12	3/2	Mr. Since Mr. Colby has already approved the position & is fully behind the program believed this does not require his formal concurrence if OK with DJS	
4.					
5. Deputy Director for Support 7 D 26 Hqs		3/14/73		J	
6. Chief SSS					
7.					
8.					
9. William S. Bavis Director, EEO 2 E 38 Hqs					
10.					
11.					
12. DD/S Distribution: Orig RS - SSS, w/O of Att (DD/S 73-0986) X - DD/S Subj. w/ccy of Att				STAT	
13. DD/S 73-0986: Memo dtd 6 Mar 73 to DD/S fr D/EEO, subj: Request for Approval to Issue Revised Regulations				STAT	
14.					
15.					

PERS 73-1168

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Executive Registry

73-1248

DD/S 73-0986

6 MAR 1973

MEMORANDUM FOR: Deputy Director for Support

SUBJECT : Request for Approval to Issue Revised Regulations

1. This memorandum contains recommendations for your approval in paragraph 5.

2. Recent legislation in the area of Equal Employment Opportunity and advice from the Civil Service Commission necessitate some modifications in our existing Regulations. Attached for your approval are suggested changes to Regulation

3. The purpose of these changes is to incorporate reference to the position of Federal Women's Program Coordinator, to change the time in which an employee must consult an EEO Counselor from 15 days to 30 calendar days, to announce that the names and addresses of EEO Officers are listed in the Agency telephone directory and on Agency bulletin boards, and to make reference to the Equal Employment Opportunity Act of 1972, which is the current legislation on the subject of EEO.

4. In addition to the above and in conformance with the requirement that agencies publicize as widely as possible the essence of its EEO program and data relative to officers engaged in the program, it is requested that the attached proposed Headquarters Notice be approved.

5. In summary, this memorandum requests your approval to revise the Headquarters Regulation, to modify the Headquarters handbook which is read by all new employees at the time of their

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entrance on duty and annually thereafter, and, finally, to publish a notice on the subject of Equal Employment Opportunity to all Agency employees.

Signed

William S. Bavis
Director
Equal Employment Opportunity

Attachments:

- A. Revision to
B. Revision to
C. Proposed Hqs Notice

CONCUR:

/s/Harry B. Fisher

Harry B. Fisher
Director of Personnel

9 MAR 1973

Date

CONCUR:

See Note on Routing + Record Sheet 12 March '73
William E. Colby Date

APPROVE:

See ODM 45 73-2132, 2133 8 June 73
Deputy Director for Support Date

Distribution:

Orig - DD/S (to be returned to D/EEO)

Approved For Release 2003/04/29 : CIA-RDP84-00780R005200010004-2
DD/S; Pers. Colby; 1 D/Pers; 1 D/EEO;

1 - C/SPD/OP

OP/SPD/ sec (6 Mar 73)

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STAT should be revised as follows:

Delete from paragraph 4.a., lines 6 and 7, reference to Executive Order 11246, dated 24 September 1965, and insert Equal Employment Opportunity Act of 1972 (Public Law 92-261).

Change paragraph 4.b.(1) to read:

The Director of Central Intelligence shall designate a Director of Equal Employment Opportunity and a Federal Women's Program Coordinator, who will be under his immediate supervision for all matters pertaining to the Agency's equal employment opportunity program.

Change paragraph 4.c.(2), line 3, from "15 days" to "30 calendar days."

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4. EQUAL EMPLOYMENT OPPORTUNITY POLICY AND PROCEDURES

a. GENERAL. It shall be the policy of the Central Intelligence Agency to provide equal employment opportunity for all qualified persons without discrimination based on race, creed, color, national origin, sex, marital status, political affiliation, or physical handicap, and to promote the full realization of equal employment opportunity through a positive continuing program. In administering this policy, the Agency shall comply with the provisions of Executive Order 11246, dated 24 September 1965, with due regard to the statutory responsibilities of the Director of Central Intelligence prescribed in the National Security Act of 1947, as amended, and the Central Intelligence Act of 1949, as amended.

- (1) A qualified person is one who possesses the special requisites for Agency employment and is ready, willing, and able to comply with the specific or unique requirements of the Career Service to which he or she is or may be assigned.
- (2) A positive continuing program goes beyond nondiscrimination and ensures that an environment exists within the Agency which encourages the development and utilization of all qualified persons.

b. RESPONSIBILITIES

and a Federal Woman

- (1) The Director of Central Intelligence shall designate a Director of Equal Employment Opportunity, who will be under his immediate supervision for all matters pertaining to the Agency's equal employment opportunity program.
- (2) The Director shall designate such other Equal Employment Opportunity Officers and Counselors as may be necessary to carry out the Agency's equal employment opportunity program throughout the major components of the Agency.
- (3) The Director of Personnel shall be responsible for continually reappraising the Agency's personnel program to ensure that all activities relating to personnel administration are compatible with the principle of equal employment opportunity.
- (4) The Heads of Career Services are responsible for ensuring that the policy of equal employment opportunity is enforced in the utilization and development of members of their Career Service.
- (5) The operating and supervisory officials shall ensure a positive application and enforcement of the policy of equal employment opportunity.
- (6) Each employee is responsible for cooperating and participating in the equal employment opportunity program.

c. COMPLAINTS

- (1) The unique internal security requirements of this Agency require the compartmentation of its personnel and activities and the application of the need-to-know principle, and necessitate the processing of complaints of discrimination on a case-by-case basis, with due regard to the security factors involved in each case. In its processing of complaints the Agency will ensure that the objectives of the implementing regulations promulgated by the U.S. Civil Service Commission are observed.
- (2) An employee wishing to resolve a matter in which he believes he has suffered discrimination must consult an Equal Employment Opportunity Counselor within 15 days after the matter arises. The counselor will seek a solution informally and advise the aggrieved of his finding. If the matter is not solved to the satisfaction of the aggrieved, he may then file a formal complaint of discrimination.

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- (3) Complaints by Agency employees or applicants for Agency employment containing allegations of discrimination contrary to the Agency's equal employment opportunity policy shall be submitted to the Director of Equal Employment Opportunity through the appropriate Equal Employment Opportunity Officer. Individuals making such complaints may request the advice and assistance of these officers as to proper form and procedure to be followed.
- (4) Such complaints will be processed in the following manner:
- (a) Upon receipt of a complaint the Director of Equal Employment Opportunity shall initiate promptly an investigation of the complaint to determine the facts of the complaint;
 - (b) Upon completion of the investigation an opportunity shall be provided for the adjustment of the complaint on an informal basis;
 - (c) When the complaint is not adjusted on an informal basis, the Agency shall offer the complainant an opportunity for a hearing;
 - (d) The findings and recommendations from the hearing shall be forwarded to the Director of Central Intelligence, or his designee.
- d. **INFORMING EMPLOYEES.** Annually and at such other times as directed, supervisors will bring paragraph 4 of this regulation to the attention of all employees under their jurisdiction. The Director of Personnel will ensure that all employees are made aware of the provisions of paragraph 4 of this regulation as a part of their entrance-on-duty processing.

5. *Reserved*

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Recommend that Chapter II, paragraph 11.a. and b. of the Handbook of Required Regulatory Readings be revised as follows:

11. EQUAL EMPLOYMENT OPPORTUNITY

- a. It is Agency policy to provide equal employment opportunity for all qualified persons without discrimination based on race, creed, color, national origin, sex, marital status, political affiliation, or physical handicap. The Director has designated Equal Employment Opportunity Officers, a Federal Women's Program Coordinator, and Equal Employment Opportunity Counselors to carry out a continuing equal employment opportunity program throughout the Agency.
- b. Each Directorate of the Agency is responsible for developing an Affirmative Action Program which will insure that every employee, including women and other minority group members, has the opportunity to develop and utilize skills to the maximum degree. EEO Officers and EEO Representatives in the Directorates are the focal points for this program.
- c. Any employee wishing to resolve a matter in which he believes he has suffered discrimination should consult an Agency Equal Employment Opportunity Counselor within 30 calendar days after the matter arises. If the counselor is unable to solve

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the problems informally to the satisfaction of the employee, he will provide advice as to the proper procedure for filing a formal complaint of discrimination.

- d. The names and addresses of the Director, Equal Employment Opportunity, the EEO Officers, the Federal Women's Program Coordinator, and the EEO Counselors are posted on Agency bulletin boards and are contained in the functional listing of the Agency telephone directory.

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This Notice Expires _____

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EQUAL EMPLOYMENT OPPORTUNITY

STAT The purpose of this notice is to bring to the attention of all employees the fact that this Agency is subject to and participates fully in satisfying those requirements contained in the Equal Employment Opportunity Act of 1972 (Public Law 92-261). Headquarters Regulation and Headquarters Handbook Chapter II, paragraph 11 (Handbook of Required Regulatory Readings), specify Agency policy and procedures on this subject. STAT

The identities and locations of the Director, Equal Employment Opportunity, the Federal Women's Program Coordinator, the EEO Officers and the EEO Counselors are listed in the functional element of the Agency telephone directory as well as posted on bulletin boards throughout Agency installations. Any employee who feels that he has a basis for submitting a discrimination complaint should contact his EEO Counselor. This contact must be established within 30 calendar days after the incident or matter which caused the employee to believe that he had sufficient basis for complaint. If the counselor is unable to solve the problem informally to the

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satisfaction of the employee, the counselor will provide advice as to the proper procedure for filing a formal complaint of discrimination.

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